

AMENDMENTS TO THE CLAIMS

1. (Currently Amended) A method of distributing testing materials comprising the acts of:
storing a first version of a test package in a data store;
establishing a communication link with a test center via a wide-area network;
detecting, ~~via~~ via said communication link, ~~that~~ whether a second version of said test package installed at said test center is outdated relative to said first version of said test package;
and

~~transmitting said first version of said test package to said test center via said network~~
updating said test package at said test center with said first version of said test package if the second version of said test package is outdated relative to said first version of said test package and if said test center chooses to update to said first version of said test package.

2. (Original) The method of claim 1, wherein said establishing act comprises establishing said communication link via the Internet.

3. (Original) The method of claim 1, wherein said storing act comprises storing said first version of said test package in a database.

4. (Currently Amended) The method of claim 1, wherein said establishing act comprises using ~~an enterprise service~~ a client-server interface to engage in communication with said test center.

5. (Cancelled)

6. (Currently Amended) The method of claim 1, wherein said detecting act comprises:
receiving a test center record indicative of test packages installed at said test center, said test center record indicating the presence or absence of one or more versions of said test package at said test center; and

determining, based on said test center record, ~~that~~ whether said first version of said test package is not installed at said test center.

7. (Currently Amended) The method of claim 6, further comprising the act of:

~~prior to said transmitting act,~~ determining, according to a criterion, that said first version of said test package may be installed at said test center.

8. (Currently Amended) The method of claim 7, wherein said act of determining that said first version of said test package may be installed at said test center comprises ~~the act of using an isVersionAllowed function which checks~~ checking a version of software installed at said test center to determine whether an installation may proceed.

9. (Original) The method of claim 1, further comprising the act of:

updating a test center record at said test center to reflect installation of said first version of said test package at said test center.

10. (Currently Amended) The method of claim 1, wherein said ~~transmitting~~ updating act comprises:

packaging said test package in one or more data structures according to a first protocol;
and

sending said one or more data structures to said test center via said wide-area network using a transport protocol different from said first protocol.

11. (Original) The method of claim 10, wherein said transport protocol comprises Hypertext Transport Protocol.

12-29. (Cancelled).

STATUS AND SUMMARY

The Examiner has objected to the information disclosure statement filed on August 14, 2003 because a legible copy of each non-U.S. patent reference was not included with the submission of the information disclosure statement.

The Examiner has rejected claims 1-4 and 6-11 under 35 U.S.C. §101 because the invention is directed to non-statutory subject matter.

The Examiner has rejected claim 4 under 35 U.S.C. §112, first paragraph, for failing to comply with the enablement requirement.

The Examiner has rejected claim 4 under 35 U.S.C. §112, second paragraph, as being indefinite for failing to point out and particularly claim the subject matter which applicants regard as their invention.

The Examiner has rejected claims 1-3 and 6-9 under 35 U.S.C. §103 as being unpatentable over U.S. Patent Number 6,149,438 to *Richard et al.*

The Examiner has rejected claims 10 and 11 under 35 U.S.C. §103 as being unpatentable over U.S. Patent Number 6,162,060 to *Richard et al.* in view of U.S. Patent Application No. 2002/0168621 to *Cook et al.*

Claims 1, 4, 6-8 and 10 have been amended.

Claims 1-4 and 6-11 remain pending in this application.